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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,143	04/01/2004	Koji Matsuoka	2936-0213PUS1	7355
2292	7590	09/29/2005		
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER CHOWDHURY, TARIFUR RASHID	
			ART UNIT 2871	PAPER NUMBER
DATE MAILED: 09/29/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/814,143

Applicant(s)

MATSUOKA ET AL.

Examiner

Tarifur R. Chowdhury

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 22 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 8, 9 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/01/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

3. Claim 1 is objected to because of the following informalities: In claim 1, lines 8 and 9, "color film" should be changed to --colored film--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 7, 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Lo et al., (Lo), US 2005/0019679.**
6. Lo discloses and shows in Fig. 3D, a color filter comprising a substrate (200), a resin black matrix (202) formed on the substrate and having an opening within the

matrix, and a colored film (204a) covering a portion of the substrate located inside the opening of the resin black matrix and covering at least a portion of the resin black matrix (202),

wherein an edge portion of the resin black matrix located along the opening in the matrix and covered by the colored film is thinner than a portion of the resin black matrix contiguous with the edge portion.

Accordingly, claim 7 is anticipated.

As to claim 10, Lo also discloses that the color filter is used in a liquid crystal display device.

As to claim 11, since the colored film (204) is formed after forming the matrix having a thinner edge than an adjacent portion of the matrix (as shown in Fig. 3D), it is inherent that the colored film would first contacts the black matrix at the thinner edge.

Allowable Subject Matter

7. Claims 1-6 are allowed.

8. Claims 8, 9 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

As to claim 1, the prior arts of record do not anticipate or render obvious to one skilled in the art a method for fabricating a color filter by bonding a colored film on a substrate having a resin black matrix formed thereon, comprising several steps as

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claimed, more specifically the step of bonding the colored film onto the substrate in a direction whereby the colored film first contacts the matrix on the upstream side at the thinner edge is considered novel.

As to claim 8, the prior arts of record do not anticipate or render obvious to one skilled in the art a color filter wherein the width of the edge portion of the resin black matrix is in a range of 25% to 50% of the total width of the resin black matrix.

As to claim 9, the prior arts of record do not anticipate or render obvious to one skilled in the art a color filter wherein the thickness of the edge portion of the resin black matrix is in a range from 0.5 to 1 micro-meters.

As to claim 12, the prior arts of record do not anticipate or render obvious to one skilled in the art a method of fabricating a color filter wherein the colored film is bonded by applying pressure to the film to press the film to the substrate and the matrix, wherein the film is pressed against the matrix first at the thinner edge.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

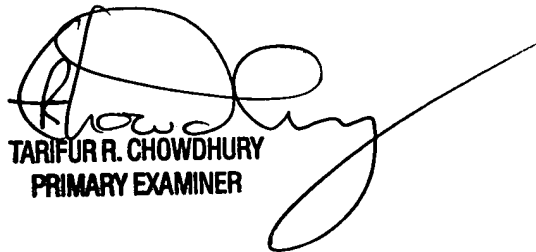
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tarifur R. Chowdhury whose telephone number is (571) 272-2287. The examiner can normally be reached on M-Th (6:30-5:00) Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (571) 272-2293. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRC
September 27, 2005



TARIFUR R. CHOWDHURY
PRIMARY EXAMINER